

1599. Misbranding of A. D. D.'s Save the Cow. U. S. v. 13 Bottles of A. D. D.'s Save the Cow. Default decree of condemnation and destruction. (F. D. C. No. 12239. Sample No. 65938-F.)

LIBEL FILED: April 25, 1944, Middle District of Pennsylvania.

ALLEGED SHIPMENT: On or about February 11, 1944, by A. D. Driscoll, from Whitney Point, N. Y.

PRODUCT: 13 bottles of *A. D. D.'s Save the Cow* at Honesdale, Pa. Analysis showed that the product consisted essentially of linseed oil, a lead compound, a sulfate, a nitrate, and volatile oils, including camphor.

NATURE OF CHARGE: Misbranding, Section 502 (a), the labeling created the false and misleading impression that the article would be efficacious in the cure, mitigation, treatment, and prevention of garget and fowls, thrush, spider teat, swollen, caked udder, cuts, old sores, hoof rot, and lameness; that it would be effective as a penetrating, powerful healer; that it would cleanse the diseased parts, subdue inflammation, stimulate healthy granulation and absorb all inflammatory matter, and hasten the healing process; that it would allay inflammation, increase circulation, and give immediate relief in the most severe cases of caked bag, spider teat, garget, and all bunches in the teat, in two or three applications; and that it would give immediate relief in pricks, cracks, and corns in horses' feet, barbed wire fence cuts, fistula, poll evil, and old sores of any kind. The article would not be effective for the purposes suggested and implied in the labeling. Further misbranding, Section 502 (b) (2), it failed to bear a label containing an accurate statement of the quantity of the contents; and, Section 502 (e), its label failed to bear the common or usual name of each active ingredient.

DISPOSITION: September 6, 1944. No claimant having appeared, judgment of condemnation was entered and the product was ordered destroyed.

HABIT-FORMING DRUG ACTIONABLE BECAUSE OF FAILURE TO BEAR WARNING STATEMENT*

1600. Misbranding of Novalene Tablets. U. S. v. 313,464 Packages of Novalene Tablets. Consent decree of condemnation. Product ordered released under bond. (F. D. C. No. 7805. Sample No. 89508-E.)

LIBEL FILED: June 29, 1942, Southern District of New York.

ALLEGED SHIPMENT: Between the approximate dates of March 11 and June 10, 1942, by the Ivers-Lee Co., from Newark, N. J.

PRODUCT: 313,464 packages of *Novalene Tablets* at New York, N. Y. Examination of samples showed that each tablet contained 0.26 grain of phenobarbital, 0.40 grain of ephedrine sulfate, and 2.5 grains of potassium iodide, together with calcium lactate and starch.

LABEL, IN PART: "Novalene Tablets For Relief in Asthma and Hay Fever Professional Drugs, Inc., 80 Lafayette Street, New York, N. Y."

NATURE OF CHARGE: Misbranding, Section 502 (b) (1), the label of the article failed to reveal the fact that the name appearing on the label was the name of the distributor; Section 502 (b) (2), the label bore no statement of the quantity of the contents; Section 502 (d), the article was for use by man and it contained phenobarbital, a chemical derivative of barbituric acid, which derivative has by regulation been designated as habit forming, and its label failed to bear the name and quantity or proportion of such derivative and, in juxtaposition therewith, the statement "Warning—May be habit forming"; and, Section 502 (e) (2), the label of the article failed to bear the common or usual name of each active ingredient.

DISPOSITION: July 17, 1942. Professional Drugs, Inc., claimant, having admitted the allegations of the libel and consented to the entry of a decree, judgment of condemnation was entered and the product was ordered released under bond to be relabeled under the supervision of the Food and Drug Administration.

*See also Nos. 1553, 1561.